

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
AT ERIE**

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court, having considered the Report and Recommendation of Magistrate Judge Susan Paradise Baxter, and the balance of record, **HEREBY ORDERS** as follows:

- (1) The Court **ADOPTS** the Report and Recommendation.
- (2) Plaintiff's claim against Defendant Phillips in his official capacity is **DISMISSED**.
- (3) Plaintiff's supervisory liability claims against Defendants Schultz, Hoke, Kryziak, Weiderspahn, Amato, Soff, Lewis, and Saulsberry are **DISMISSED**.
- (4) Defendants Schultz, Hoke, Kryziak, Weiderspahn, Amato, Soff, Lewis, and Saulsberry are **DISMISSED** from this case.
- (5) The Clerk shall send copies of this Order to the parties.

IT IS SO ORDERED.

DATED this 12th day of July, 2017.

Barbara Rothstein
BARBARA J. ROTHSTEIN
UNITED STATES DISTRICT JUDGE